1 KENNER LAW FIRM, P.C. David E. Kenner, SBN 41425 Brett A. Greenfield, SBN 217343 16000 Ventura Boulevard, PH 1208 3 Encino, CA 91364 818 995 1195 4 818 475 5369 - fax 5 Attorney for Defendant Josef F. Boehm 6 IN THE UNITED STATES DISTRICT COURT 7 DISTRICT OF ALASKA 8 9

Sally C. Purser,

) DEFENDANT JOSEF BOEHM'S NOTICE OF Plaintiff,

) MOTION TO SET ASIDE PARTIAL
) SUMMARY JUDGMENT ORDER

Josef F. Boehm, Allen K. Bolling, and Bambi Tyree,
Defendants.

V.

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CASE NO.: A05-0085 (JKS)

## MOTION TO SET ASIDE PARTIAL SUMMARY JUDGMENT ORDER

## Fed.R.Civ.P. 6(b) (2)

Comes now the defendant Josef F. Boehm by and through the Law Offices of David Kenner and hereby moves to set aside the prior Order granting the Motion for Partial Summary Judgment. This motion is made pursuant to Fed.R.Civ.Pro.6 (b) and is supported by the following memorandum of law and the attached affidavit of counsel.

September 13, 2006 KENNER LAW FIRM, P.C.

12

Brett A. Greenfield,

Attorney for Defendant Josef F. Boehm

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1 KENNER LAW FIRM, P.C.
     David E. Kenner, SBN 41425
    16000 Ventura Boulevard, PH 1208
     Encino, CA 91364
  3
     818 995 1195
     818 475 5369 - fax
  4
    Attorney for Josef F. Boehm
  5
  6
           IN THE UNITED STATES DISTRICT COURT DISTRICT OF ALASKA
  7
    Salley C. Purser,
                                      ) CASE NO.: A05-0085
  8
                                       CERTIFICATE OF SERVICE
 9
                    Plaintiff,
                                       DATE:
                                                  September 15, 2006
 10
               v.
                                        TIME:
                                                  8:30 a.m.
 11
    Joesef F. Boehm, Allen K.
    Bolling, Leslie J. Williams, Jr.)
 12
    and Bambi Tyree,
13
                    Defendants.
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         This is to Certify that on or about September 15, 2006 a true
    and correct copy of the attached documents were caused to be mailed
   to the following parties of record:
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19
    Bambi Tyree
    Inmate No: 13016-006
    FCI Dublin
20 |
    5701 8th Street-Camp Parks
21
   Dublin, CA 94568
   C.M. No.: 7002 2410 0006 6742 2539
22
   Allen K. Bolling
23
   Inmate No: 14911-006
   USP Terre Haute
24
   U.S. Penitentiary
   P.O. Box 12015
   Terre Haute, IN 47801
   C.M. 7002 2410 0006 6742 2188
26
27
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<sub>II</sub>Case 3:05-cv-00085-JKS Document 58 Filed 09/15/2006 Page 2 of 3

The following parties were served electronically on September 15, 2006:

## Darryl L. Jones

lodj.federalnotices@yahoo.com

KENNER LAW FIRM, P.C.

David E. Kenner,

Attorney for Defendant

Josef Boehm